THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.10526 OF 2006

DATED: 28-09-2007

Between:

Md. Mastan

.. Petitioner

and

The Executive Engineer, Irrigation Division, Mulug, Warangal District.

.. Respondent

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.10526 OF 2006

ORDER:

This writ petition is filed seeking a mandamus declaring the order of termination, dated 17.05.2006, in proceedings No.EE/ID/N/2006-07/4/DD.1 No.901624, passed by the respondent as arbitrary, illegal and in violation of mandatory provisions of Section 25-F of the Industrial Disputes Act.

It appears, under the impugned proceedings, dated 17.05.2006, the services of the petitioner were terminated by paying compensation as required under Section 25-F of the Industrial Disputes Act (for short 'the Act'). The grievance of the petitioner is that compensation as required under the provisions of Section 25-F of the Act was not paid and the compensation paid was not in consonance with the salary drawn by him.

In the counter filed by the respondent, the allegations made by the petitioner were denied and it is asserted that no injustice was done to the petitioner either in respect of delayed wages or in respect of eligible amount.

If there is any dispute as to the proper compliance of the provisions of Section 25-F of the Act such as payment of proper

compensation etc., the petitioner has to approach the Labour Court to work out his remedies as available under the law, but the writ petition in this shape is not maintainable. The writ petition is devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed leaving liberty to the petitioner to work out his remedies as available under the law. No order as to costs.

C.V. RAMULU, J

28th September, 2007.

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